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U.S.PTO

UTILITY PATENT APPLICATION TRANSMITTAL	Attorney Docket No.:	9005/45	
	First Inventor:	Stephen G. Evangelides, Jr. et al.	
	Title:	OPTICAL PERFORMANCE MONITORING BETWEEN TERMINAL EQUIPMENT AND AN OPTICAL INTERFACE TO AN OPTICAL SUBMARINE TRANSMISSION LINE	
	Express Mail Label No.:	ER 427119013 US	

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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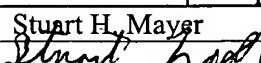
APPLICATION ELEMENTS (see MPEP chapter 600 concerning utility patent application contents)		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
1. <input type="checkbox"/> Fee Transmittal Form in duplicate (Submit an original and a duplicate for fee processing)		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence (if applicable, all necessary)	
3. <input checked="" type="checkbox"/> Specification Total Pages 11 (preferred arrangement set forth below) -Descriptive title of the invention -Cross Reference to Related Applications -Statement Regarding Fed sponsored R&D -Reference to sequence listing, a table, -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure		a. <input type="checkbox"/> Computer Readable Form (CFR) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-4 (2 copies); ii. <input type="checkbox"/> or paper c. <input type="checkbox"/> Statements verifying identify of above copies	
ACCOMPANYING APPLICATION PARTS			
4. <input checked="" type="checkbox"/> Drawing(s) Total Sheets 2		9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
5. Oath or Declaration		10. <input type="checkbox"/> 37 CFR 3.73(b) <input type="checkbox"/> Power of Attorney Statement (when there is an assignee)	
a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/ divisional with Box 18 completed)		11. <input type="checkbox"/> English Translation Document (if applicable)	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		12. <input type="checkbox"/> IDS <input type="checkbox"/> Copies of IDS Citations	
6. <input type="checkbox"/> Application Data Sheet under 37 CFR 1.76		13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)			
15. <input type="checkbox"/> Certified Copy of Priority Document			
16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.			
17. <input type="checkbox"/> Other: _____ _____ _____			

18. IF A CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment:

 Continuation Divisional Continuation-in- Part (CIP) Prior Appl. No. **10/621,028**
Prior Appl. information: Examiner: **Unassigned** Group/Art Unit: **Unassigned**

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

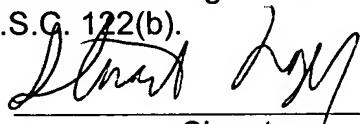
<input checked="" type="checkbox"/> Customer Number or Bar Code Label 27774		or	<input type="checkbox"/> Correspondence address below		
Name Stuart H. Mayer		_____			
Address Mayer Fortkort & Williams, PC		_____			
Address 251 North Avenue West, 2nd Floor		_____			
City Westfield		State NJ	Zip Code 07090		_____
Country USA		Telephone 908-518-7700	Fax 908-518-7795	_____	
Name Stuart H. Mayer		Registration No. 35,277		_____	
SIGNATURE 		Date 3/3/04		_____	

NONPUBLICATION REQUEST UNDER 35 U.S.C.122(b)(2)(B)(i)	First Named Inventor	Stephen G. Evangelides Jr. et al.
	Title	Optical Performance Monitoring Between Terminal Equipment And An Optical Submarine Transmission Line
	Atty Docket Number	9005/45

I hereby certify that the invention disclosed the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request the attached application not be published under 35 U.S.C. 122(b).

3/3/04

Date



Signature

Stuart H. Mayer

Type or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Stephen G. Evangelides, Jr. et al.**

Docket No.

9005/45Serial No.
UnassignedFiling Date
Filed HerewithExaminer
UnassignedGroup Art Unit
UnassignedInvention: **OPTICAL PERFORMANCE MONITORING BETWEEN TERMINAL EQUIPMENT AND AN OPTICAL INTERFACE TO AN OPTICAL SUBMARINE TRANSMISSION LINE**

I hereby certify that the following correspondence:

New U.S. Continuation-In-Part Patent Application*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

3/3/04*(Date)***Marjorie Scariati***(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)***ER 427119013 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**